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Docket No.: ATS-032/REISSUE

REISSUE APPLICATION

63
14 wherein said elastic plate is clamped axially between
15 said reinforcing member and said shaft end of said
16 crankshaft.

REMARKS

This is in full and timely response to the Official Communication from the Examiner dated June 23, 1997.

Reconsideration and reexamination are respectfully requested in view of the foregoing amendments and the following remarks.

The foregoing amendment incorporates all of the changes from the Amendment filed March 17, 1997 and the Supplemental Amendment filed May 20, 1997. Claims 1 to 12, 16, 28, and 31 remain pending for the Examiner's consideration.

During the interview with the Examiner on April 22, 1997, Applicants and their representatives understood the Examiner as asking for a supplemental response in the form of the Supplemental Amendment filed on May 20, 1997. However, the Examiner's comments in the communication dated June 23, 1997 clarify that the Examiner, instead, has requested all of the changes made by the amendments filed March 17, 1997 and May 20, 1997 to be incorporated into a single amendment. This Second Supplemental Amendment is presented for that purpose.

The following remarks generally correspond to the

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remarks accompanying the Supplemental Amendment filed on May 20, 1997.

The Applicants and their representatives would again like to thank Examiner Luong for the courtesy extended to them during the interview on April 22, 1997. The substance of the interview is believed to be accurately reflected herein, as well as in the responses filed March 17, 1997 and May 20, 1997, and the Interview Summary form dated April 22, 1997. As requested by the Examiner, this Second Supplemental Amendment eliminates the issues of new matter raised by the Amendment filed March 17, 1997. Each of the alleged instances of new matter identified by the Examiner during the interview, as well as several of the newly added claims, have been deleted by this Second Supplemental Amendment.

Claims 16, 28, and 31 are now the only claims pending in this reissue application that were not in the issued '635 patent. The pending independent claims 16 and 31 are similar in format to the issued patent claims 1 and 8, except that the last paragraph of each claim has been changed to broaden the claims in certain respects so as to read on other embodiments of the Applicants' invention, and to narrow the claims in other respects so as to continue to distinguish over the prior art references of Numata '542 and JP '639.

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The pending claims 16, 28, and 31 clearly do not have substantially the same scope as the appealed claims in the parent application and, therefore, should not be subject to a res judicata rejection. The claims on appeal in the parent application lacked, among other things, the limitation that the elastic plate is clamped axially between the reinforcing member and a shaft end of the crankshaft. As noted on pages 39 to 40 of the Amendment filed March 17, 1997, independent claims 16 and 31 each recites limitations drawn to this feature which were not in the claims on appeal in the parent application and which clearly distinguish over the teachings of Numata '542.

The Examiner's objections to the specification and rejection of the claims under 35 U.S.C. § 112, first paragraph, are further obviated by the changes made by this Second Supplemental Amendment. Specifically, the claims which allegedly contained subject matter not described in the original specification have been canceled by this amendment, thereby making it unnecessary to make substantial revisions to the specification of the issued '635 patent.

As agreed during the interview on April 22, 1997, Applicants will prepare and file a Second Supplemental Reissue Declaration to reflect the changes made by this Second Supplemental Amendment, upon approval of such changes by the

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Examiner.

For at least the foregoing reasons, it is respectfully submitted that the present reissue application is now in condition for allowance. Early issuance of a Notice of Allowance is earnestly solicited.

If the Examiner has any comments or suggestions that could place this application into even better form, he is encouraged to contact the Applicants' undersigned representative at the number listed below.

Respectfully submitted,

Date: July __, 1997

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